

REMARKS

Applicants have carefully reviewed the Final Office Action dated June 12, 2007. Favorable reconsideration is respectfully requested in light of the following comments. No amendments are presented herein. Claims 13-15 and 19-22 are pending.

Applicants respectfully traverse the Examiner's rejection of claims 13-15 and 19-22 under 35 U.S.C. §103(a) as unpatentable over Holman et al., U.S. Patent No. 6,258,195, in view of Mitra et al., U.S. Patent No. 5,449,703. One of the requirements of a *prima facie* obviousness rejection is that there must be motivation to combine the references as suggested. At a minimum, this requirement has not been met. Applicants do not concede that the other requirements, i.e., all claimed elements disclosed and reasonable expectation of success, have been met.

As discussed in the previous Amendment, Holman et al. do not disclose use of a photoiniferter. The Examiner relies upon Mitra et al. to suggest inclusion of a photoiniferter in the resins disclosed by Holman et al. The Examiner has asserted that it "would have been obvious to have provided the resin with a photoiniferter, as Mitra teaches that such a material allows for very specific degrees of curing". There are several flaws in this assertion.

Mitra et al. are directed to making shaped dental articles. Neither the reference itself nor the Examiner has provided any suggestion or indication that materials that may be suitable for making shaped dental articles would be desirable or even appropriate for making catheters. One of skill in the art would not be motivated to look to the dental materials disclosed by Mitra et al. in making a catheter. Indeed, Applicants do not believe that Mitra et al. qualify as analogous art.

Further, there is no evidence, either within the cited art or provided by the Examiner, that the photoiniferters disclosed by Mitra et al. would even be usable or functional in combination with the resins disclosed by Holman et al. Again, one of skill in the art would not be motivated to combine the references as suggested by the Examiner.

Moreover, the reasoning provided by the Examiner regarding "very specific degrees of curing" is not appropriate. Mitra et al. rely upon partial or staged curing in molding shaped dental articles such as dentures. The importance of partial or staged curing is thus limited to the application disclosed by Mitra et al. and has no bearing or relevance with respect to the catheters

disclosed by Holman et al. While the instant specification describes the advantages of partial or staged curing, such cannot be the basis of an obviousness rejection.

For at least the reasons espoused herein, the *prima facie* obviousness rejection is flawed and should be withdrawn. Favorable reconsideration is respectfully requested.

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

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By their Attorney,



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